



18010-81904

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chen, Peng-Sheng

Art Unit: 1632

Serial No.: 10/033,400

Examiner: Paras Jr., P.


Filed: December 27, 2001

Confirmation No.: 9919

For: AN ANIMAL MODEL SYSTEM FOR ARTIFICIALLY INDUCING A HEART
ARRHYTHMIA

**TRANSMITTAL OF COPY OF REFERENCE PREVIOUSLY CITED BY APPLICANT
IN AN INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.98(d), BUT
NOT CONSIDERED BY THE EXAMINER**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P. O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON <u>December 1, 2003</u>	
BY	 Ann Weiss
<u>December 1, 2003</u> (DATE OF SIGNATURE)	

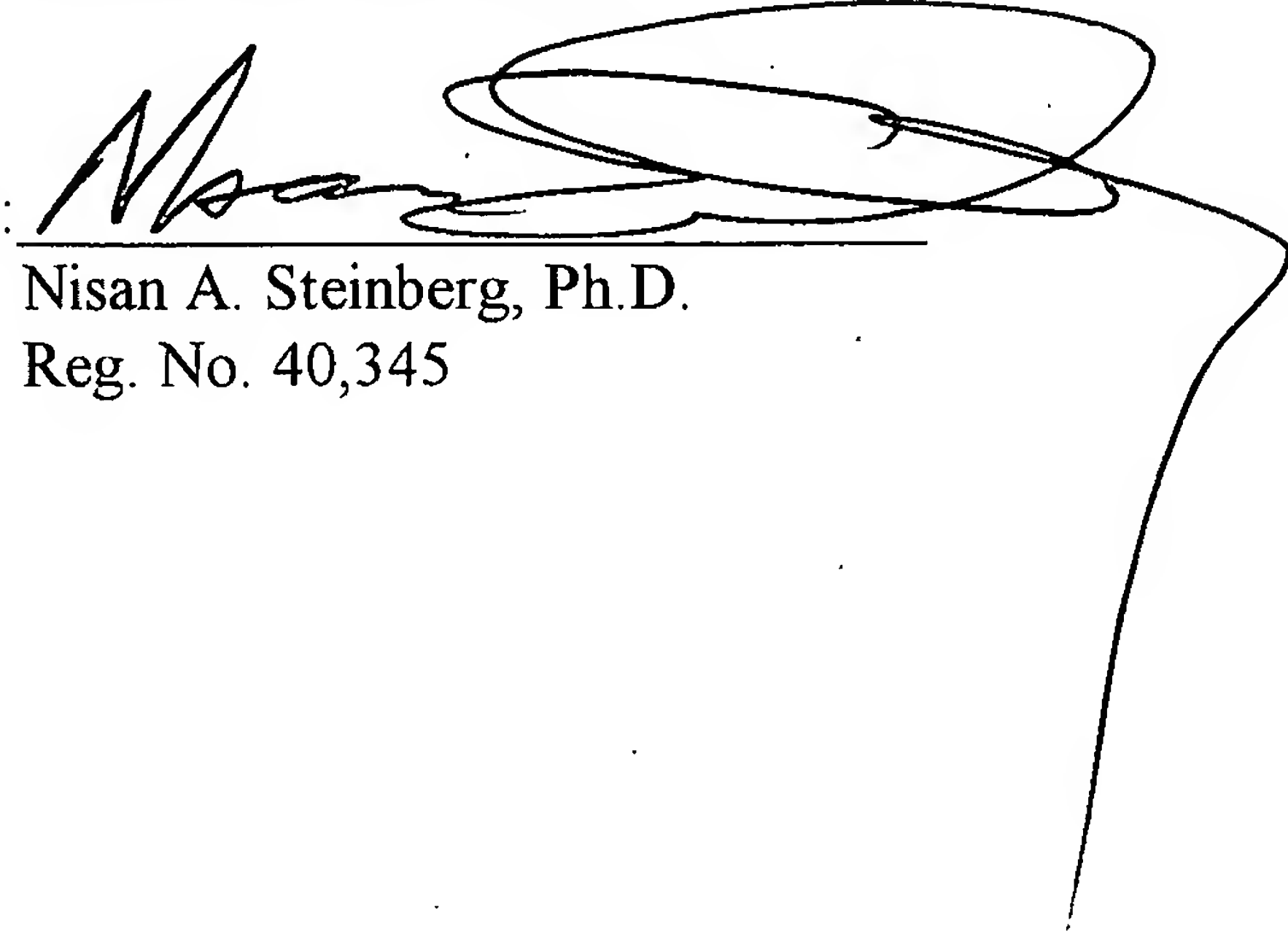
Dear Sir/Madam:

Submitted herewith is a copy of a reference concerning an Information Disclosure Statement, filed under Rule 37 C.F.R. §1.98(d), on December 27, 2001 in the above-referenced application. In an Office Action mailed August 26, 2003, the Examiner indicated that this reference (Other Art No. 1; Schwartz *et al.* [1984]) had not been considered, presumably because

a copy could not be located in the USPTO. Consequently, Applicant herewith submits a new copy of the reference together with a new copy of the IDS filed December 27, 2001, for the Examiner's consideration.

Respectfully submitted,

By:


Nisan A. Steinberg, Ph.D.
Reg. No. 40,345

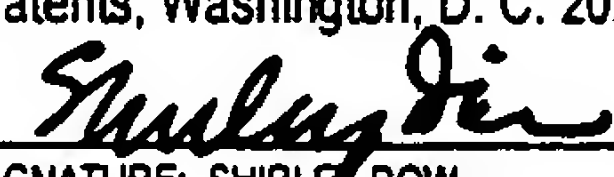
SIDLEY AUSTIN BROWN & WOOD LLP
555 West Fifth Street
Los Angeles, California 90013
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Peng-Sheng Chen
Serial No. Unassigned
Filed: November 12, 2001
For: AN ANIMAL MODEL SYSTEM FOR ARTIFICIALLY INDUCING
A HEART ARRHYTHMIA
Group Art Unit: ---
Examiner: Unknown

INFORMATION DISCLOSURE STATEMENT

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAILING		
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date and label indicated below and is addressed to Box PATENT APPLICATION, The Assistant Commissioner for Patents, Washington, D. C. 20231		
DECEMBER 27, 2001 DATE OF DEPOSIT	 SIGNATURE: SHIRLEY DOW	EL 773 911 846 US EXPRESS MAIL LABEL NO.

Dear Sir/Madame:

Applicant's attorney submits herewith Form PTO-1449, "Information Disclosure Statement" by Applicant. A copy of each of the disclosed patents and other references listed as other documents Nos. 1-3 is not being submitted herewith, because under Rule 37 C.F.R. § 1.98(d) this art was previously cited by the Examiner and/or the Applicant in connection with U.S. Serial No. 09/307,230, filed May 7, 1999. This previously filed Application was cited by applicant in this present Application per 35 U.S.C. §§ 120 and 119(e).

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists (37 C.F.R. 1.97(h)). Further the filing of this information disclosure statement shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement being submitted prior to a first Office Action, Applicant believes no fee is required. However, the Commission is hereby authorized to credit overpayment charge any fees required to Deposit Account No. 50-1597 under 37 C.F.R. § 1.16 or 1.17.

Respectfully submitted,

By: 

Nisan A. Steinberg, Ph.D.
Registration No. 40,345

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FORM PTO-1449 (Modified)	ATTY DOCKET NO. 18810-81904	SERIAL NO. ---
	APPLICANT: Chen	
	FILING DATE: December 27, 2001	GROUP ART UNIT Unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
		5,147,294	09/15/92	Smith et al.			
		5,203,326	04/20/93	Collins			
		5,921,940	07/13/99	Verrier et al.			
		4,604,394	08/05/86	Kaczorowski et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	TRANSLATION NO
		EP 0047013 A1	10/03/82	EP				
		EP 0547734 A2	23/06/93	EP				
		EP 0547734 A3	23/06/93	EP				
		WO 99/07354 A2	18/02/99	PCT				

OTHER ART (Including Author, title, Date, Pertinent Pages, Etc.)

	1	Schwartz, P.J., et al. "Autonomic Mechanisms in Ventricular Fibrillation Induced by Myocardial Ischemia During Exercise in Dogs with Healed Myocardial Infarction. An Experimental Preparation for Sudden Cardiac Death." PubMed Abstract of Circulation Apr; 69(4): 790-800 (1984)
	2	PCT International Search Report re PCT/US00/12367, mailed August 11, 2000
	3	Malkin, Robert A. et al., <i>The Effect of Inducing Ventricular Fibrillation with 50-Hz Pacing Versus T Wave Stimulation on the Ability to Defibrillate</i> , PACE, 21:1093-1097 (May 1998).

EXAMINER	DATE CONSIDERED;
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	